

## **Mediation in Police and Fire Contract Negotiations**

In some police and fire negotiations use of mediation prior to contract expiration could be beneficial and is worth exploring. Some of the benefits include:

1. mediation might help the parties achieve a settlement more quickly and less expensively than would be the case if they filed for interest arbitration after the contract expired;
2. the parties would have more control over a mediated settlement than they would over an arbitrator's award;
3. even if mediation does not resolve all issues, it could reduce the number of issues in dispute that would be considered in Interest Arbitration, potentially saving the parties time and money in that forum; and
4. the parties would become familiar with experienced neutrals who do not ordinarily work as interest arbitrators.

Because of the potential benefits, PERC will make the following mediation program available in police and fire contract negotiations.

At the parties' mutual request, PERC will assign a mediator from its grievance, interest arbitration, or mediation panels. The individuals will be experienced and capable mediators, but will most likely not be one of those individuals who are routinely selected in interest arbitration proceedings.

The mediator will be assigned by the Director of Conciliation and Arbitration, but we will encourage input from the parties.

Unlike interest arbitration, where the parties split the arbitrator's fee, PERC will pay for the services of the mediator.

A mediator will be assigned whenever the parties declare an impasse. This could be sometime within the 120-day period prior to contract expiration. It could also be before that 120-day period, if the parties have started negotiations early.

If mediation does not resolve all outstanding issues, either party would retain its right to file for interest arbitration after contract expiration.

We encourage you to consider, and discuss with your counterparts, the possibility of using mediation in police and fire contract negotiations. Parties who have questions or who are interested in using this program should contact Timothy A. Hundley, Director of Conciliation and Arbitration, at (609) 292-9898.

If you do participate in this program we would appreciate hearing your comments or suggestions.